

**MINUTES  
FREMONT CITY COUNCIL MEETING  
JANUARY 17, 2012  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- a. Call to Order:** Vice Mayor Natarajan called the meeting to order.
- b. Flag Salute:** Councilmember Dutra led the salute to the flag.
- c. Roll Call:** Present: Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra.
- d. Announcements by Vice Mayor/City Manager**

**2. CONSENT CALENDAR**

- \* **a. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes:	Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

- \* **b. Approval of Minutes – None.**
- \* **c. Vice Mayor Natarajan opened consideration of an amendment to Solid Waste Collection Agreement with Allied Waste Industries to Implement Collection Changes Designed to Improve Waste Diversion**

(This item was removed from the Consent Calendar). Staff responded to questions from Councilmembers.

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council authorized the City Manager, or his designee, to execute the Seventh Amendment to the Agreement for the Collection, Processing, and Disposal for Municipal Solid Waste, Recyclables and Organic Waste as described in the staff report.

Ayes:	Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
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\*Consent Items

Noes: None  
Absent: None  
Abstain: None

\* d. **Vice Mayor Natarajan opened consideration of a Recreation Commission Referral Regarding the Conversion of the Central Park Sand Volleyball Courts to a Multi-Use, Hard-Court and Junior Tennis Complex**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council approved the concept plan for the sand volleyball court conversion to a multi-use, hard-court complex in Central Park.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra  
Noes: None  
Absent: None  
Abstain: None

\* e. **Vice Mayor Natarajan opened consideration of the Close Out of Completed Capital Projects**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Approved the close out of the capital projects identified on Enclosure B and return the remaining project appropriations to their respective funds.
2. Defund Congestion Management Air Quality (CMAQ) Fund 522 funds in the amount of \$29,220.55 from PWC 8523 Master Traffic Controller and \$126,910.29 from PWC 8589 Mowry Fiber Optic Cable.
3. Defund Congestion Management Authority/Bay Area Air Quality Management District (CMA/BAAQMD) Fund 523 funds in the amount of \$59,020.54 from PWC 8619 Signal Coordination.
4. Defund Traffic Impact Fee (TIF 531) funds in the amount of \$1,725,228.19 from PWC 8156 Washington Boulevard/Paseo Padre Parkway Grade Separation.
5. Defund Measure WW funds in the following amounts and return the defunded funds to Measure WW Fund 513: \$64,000 from PWC8766 Patterson House Foundation & Electrical; \$101,200 from PWC 8767 Irrigation Controllers for Parks; \$11 2,640 from PWC 8768 Well & Pump Replacement; \$95,000 from PWC 8777 Warm Springs Recreation Room & Restroom Replacement; and reduce the FY 2012/13 appropriation in the amounts of \$116,856 from Babbling Brook Cistern Renovation and \$92,091 from Brookvale Trail Asphalt to Concrete Conversion. Reduce planned allocation by \$84,117 for Central Park: Renovation of 2 Fields in FY 2013/14.
6. Approved a transfer of approximately \$26,510.34 from Fund 511 back to Fund 189 Recreation Operations and close out Fund 511.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra  
Noes: None  
Absent: None  
Abstain: None

**\* f. Vice Mayor Natarajan opened consideration of Redevelopment Agency Compliance with AB 936**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council adopted Resolution No.2012-02 that has been prepared in compliance with AB 936 declaring that no loan forgiveness of the type described in AB 936 occurred during 2010 or 2011, and directed staff to submit a copy of such resolution to the State Controller.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra  
Noes: None  
Absent: None  
Abstain: None

**3. CEREMONIAL ITEMS – None.**

**4. PUBLIC COMMUNICATIONS**

**a. Oral and Written Communications – No Speakers.**

**5. SCHEDULED ITEMS**

**a. Vice Mayor Natarajan opened consideration of a Public Hearing (Published Notice) to a Consider Planning Commission Recommendation to Adopt a Resolution Approving the Bicycle Master Plan Update (PLN2005-00354)**

(This item was added to the Consent Calendar)

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Held a public hearing.
2. Adopted Resolution No. 2012-03 approving the City of Fremont Bicycle Master Plan Update.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra  
Noes: None  
Absent: None  
Abstain: None

- b. **Vice Mayor Natarajan opened consideration of Public Hearing (Published Notice) to Consider a Planning Commission Recommendation to Approve a General Plan Amendment Expanding the Land Area Devoted to Service Industrial Land Use, and a Rezoning from Agricultural/Flood Combining District and Planned District P-2005-262(F) to Open Space/Flood Combining District and a New Planned District [P-2011-100(F)] Which Would Allow as Permitted and Conditional Uses a Biohazardous Waste Processing Facility, Mulch Processing and Sales of Finished Products, Concrete Recycling and Sales of Finished Products, and other Associated Waste Disposal and Recycling Services at the Former Tri-Cities Recycling and Disposal Facility, as well as a Preliminary Grading Plan and a Conditional Use Permit for Various Recycling and Recovery Operations**

(This item was added to the Consent Calendar)

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council held a public hearing and:

1. Adopted the Mitigated Negative Declaration and Mitigation Monitoring Program, and found this action reflects the independent judgment of the City of Fremont;
2. Found the project is consistent with the General Plan for the reasons enumerated in the staff report;
3. Adopted Resolution No. 2012-04 approving a General Plan Amendment for the subject property expanding the land area devoted to Service Industrial use as depicted in Exhibit “B” (Amended General Plan Land Use Map);
4. Introduced an Ordinance approving a rezoning of the subject property from Agricultural/Flood Combining District, A(F), and Planned District P-2005-262(F) to Open Space/Flood Combining District, O-S(F), and Planned District P-2011-100(F) as depicted in Exhibit “C” (Rezoning Map), as well as Preliminary and Precise Planned District P-2011-100(F) as shown on Exhibit “D” and the Planned District Regulations contained in Exhibit “F”, based on the findings and subject to the conditions set forth in Exhibit “G”;
5. Directed staff to prepare and the clerk to publish a summary of the ordinance;
6. Approved the Preliminary Grading Plan as shown on Exhibit “E”, based on the findings and subject to the conditions set forth in Exhibit “H”;
7. Approved the Conditional Use Permit authorizing the conditionally permitted uses of the Planned District, based on the findings and subject to the conditions set forth in Exhibit “I”; and
8. Approved the proposed removal and mitigation for 28 private, protected trees, pursuant to the Tree Preservation Ordinance and as described in the staff report and conditions of approval in Exhibit “G”.

Ayes:	Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

## 6. REPORT FROM CITY ATTORNEY

## 7. OTHER BUSINESS

### a. Vice Mayor Natarajan opened consideration of Authorization to Contract with the Alameda County Transportation Commission for the Tri-City Mobility Management Project

(This item was added to the Consent Calendar)

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Authorized the City Manager or designee to execute a contract with Alameda CTC in the amount of \$114,500 for the Tri-City Mobility Management Program for Fiscal Years 2011/12 through 2012/13.
2. Approved appropriation of \$55,000 in FY2011/12 to Fund 178.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra

Noes: None

Absent: None

Abstain: None

### b. Vice Mayor Natarajan opened consideration of Authorization to Execute a Contract Amendment with the Alameda County Transportation Improvement Authority for the Tri-City Travel Training Program

(This item was added to the Consent Calendar)

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council authorized the City Manager or designee to execute a contract amendment with ACTIA to extend the Tri-City Travel Training Program through December 31, 2014.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra

Noes: None

Absent: None

Abstain: None

## 8. COUNCIL COMMUNICATIONS

### a. Council Referrals

VICE MAYOR NATARAJAN REFERRAL: Appointment and Reappointments to advisory bodies with terms expiring as follows:

**Appointment:**

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Human Relations Commission	Dharminder Dewan	December 31, 2014

**Reappointments:**

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Art Review Board	Carol Lawton	December 31, 2015
East Bay Regional Park District Liaison Committee	Frank Pirrone	December 31, 2015
	Larry Thompson (Alternate)	December 31, 2013
Economic Development Advisory Board	John J. Dutra (At Large)	December 31, 2015
	Nancy Lee (At Large)	December 31, 2015
Historical Architectural Review Board	David J. Price	December 31, 2015
Human Relations Commission	Beth Hoffman	December 31, 2015
	Veeru Vuppala	December 31, 2015
	Debra Watanuki	December 31, 2015
Planning Commission	Roman Reed	December 31, 2015
Recreation Commission	Frank Pirrone	December 31, 2015
Senior Citizens Commission	Robert Creveling	December 31, 2015
	Denise Churchill	December 31, 2015
Youth Advisory Commission	Griffin Sloves	December 31, 2013
	Rahil Hudda	December 31, 2013
	Mirai Shah	December 31, 2013
	Rhea Nayak	December 31, 2013
	Aniruddha Dayal	December 31, 2013
	Atreyi Saha	December 31, 2013

On a motion by Councilmember Dutra, seconded by Councilmember Chan, the City Council approved appointments and reappointments to advisory bodies.

Ayes: Vice Mayor Natarajan, Councilmembers: Harrison,  
Chan and Dutra  
Noes: None  
Absent: None  
Abstain: None

**b. Oral Reports on Meetings and Events**

Councilmembers reported on their various meetings and activities.

- 9. ADJOURNMENT:** There being no further business, Vice Mayor Natarajan adjourned the meeting at 7:25 p.m.

Attest:

Approved:

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Nadine Nader, City Clerk

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ANU NATARAJAN, Vice Mayor